

REMARKS

Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks presented herein, is respectfully requested. Claims 1-47, 51-65 and 69-73 are cancelled without prejudice or disclaimer. The pending claims are claims 48-50 and 66-68.

Applicants thank Examiner Nasser for indicating at page 5 of the Office Action, that claims 48-50 and 66-68 are allowable.

The Examiner rejected claims 13, 32-33, 35-47 and 63-65 under 35 U.S.C. §112, first paragraph, as allegedly containing new matter. Without conceding to the correctness of the Examiner's position, claims 13, 32-33, 35-47 and 63-65 are cancelled. Thus, this rejection of claims 13, 32-33, 35-47 and 63-65 is rendered moot. Withdrawal of the 35 U.S.C. §112, first paragraph, rejection is therefore proper and respectfully requested.

The Examiner rejected claims 1-4, 6, 8-12, 14-21, 23-26, 28-31, 51-62, 69-70 and 72 under 35 U.S.C. § 103(a) as being unpatentable over Benetti *et al.* (U.S. Patent No. 5,727,569) in view of Vierra *et al.* (U.S. Patent No. 5,749,892) and Hossain *et al.* (U.S. Patent No. 6,063,021). In addition, the Examiner rejected claims 5, 27, 71 and 73 under 35 U.S.C. § 103(a) as being unpatentable over Benetti *et al.* in view of Vierra *et al.* and Hossain *et al.*, as applied to claims 1-4, 6, 8-12, 14-21, 23-26, 28-31, 51-62, 69-70 and 72, and further in view of Furnish (U.S. Patent No. 5,498,256). Additionally, the Examiner rejected claims 7 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Benetti *et al.* in view of Vierra *et al.* and Hossain *et al.*, as applied to claims 1-4, 6, 8-12, 14-21, 23-26, 28-31, 51-62, 69-70 and 72, and further in view of Garrison *et al.* (U.S. Patent No. 5,613,937). Without conceding to the correctness of the Examiner's position, claims 1-21, 23-31, 51-62 and 69-73 are cancelled. Thus, these rejections are rendered moot. Withdrawal of the 35 U.S.C. § 103(a) rejections of the claims is therefore respectfully requested.

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Title: METHOD AND APPARATUS FOR TEMPORARILY IMMOBILIZING A LOCAL
AREA OF TISSUE

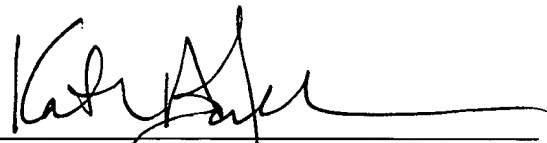
Conclusion

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is respectfully requested. The Examiner is invited to telephone Applicants' Representative at 763-505-8423 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-2546.

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By



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